

**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

|                                |   |                                     |
|--------------------------------|---|-------------------------------------|
| Applicant(s): Wu et al.        | ) | I hereby certify that this paper is |
|                                | ) | being electronically deposited with |
|                                | ) | the United States Patent and        |
| Serial No.: 10/747,598         | ) | Trademark Office on this date:      |
|                                | ) |                                     |
|                                | ) | <b>March 24, 2008</b>               |
| Filed: December 29, 2003       | ) |                                     |
|                                | ) |                                     |
|                                | ) |                                     |
| For: METHODS AND APPARATUS FOR | ) |                                     |
| OPTIMIZING A PROGRAM           | ) |                                     |
| UNDERGOING DYNAMIC BINARY      | ) | <u>/James A. Flight/</u>            |
| TRANSLATION USING PROFILE      | ) | James A. Flight                     |
| INFORMATION                    | ) | Registration No.: 37,622            |
|                                | ) | Attorney for Applicant(s)           |
|                                | ) |                                     |
| Group Art Unit: 2193           | ) |                                     |
|                                | ) |                                     |
|                                | ) |                                     |
| Examiner: Mark P. Francis      | ) |                                     |

**AMENDMENT TRANSMITTAL WITH  
PETITION FOR EXTENSION OF TIME**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is a response to the Office action pending in the above application.

**1. Small Entity Status**

- ☐ Verified statement(s) claiming small entity status is(are) attached.
- ☐ Small entity status has been established and is still effective.
- ☒ Has not been established.

**2. Extension of Time**

- ☒ This is a petition for an extension of time under 37 CFR 1.136 for the total number of months checked below:

| EXTENSION<br>(Months) | FEE FOR LARGE ENTITY |            | FEE FOR SMALL ENTITY |            |
|-----------------------|----------------------|------------|----------------------|------------|
| One Month             |                      | \$120.00   |                      | \$60.00    |
| Two Months            |                      | \$460.00   |                      | \$230.00   |
| Three Months          | X                    | \$1,050.00 |                      | \$525.00   |
| Four Months           |                      | \$1,640.00 |                      | \$820.00   |
| Fifth Month           |                      | \$2,230.00 |                      | \$1,115.00 |

**If an additional Extension of Time is required, please consider this a petition therefor.**

Extension Fee: \$1,050.00

- ☐ An extension for            month(s) has already been secured and the fee paid therefor of \$            is deducted from the total fee due for the total months of extension now requested.

Deduction: \$

**Extension Fee Due With This Request \$1,050.00**

### 3. Fee for Claims

- ☒ The fee for additional claims [(37 CFR 1.16(b)-(d)] has been calculated as shown below:

|                                                |                                  |                                 |    |               | SMALL ENTITY |                | OTHER THAN A SMALL ENTITY |                |
|------------------------------------------------|----------------------------------|---------------------------------|----|---------------|--------------|----------------|---------------------------|----------------|
|                                                | Claims Remaining After Amendment | Highest No. Previously Paid For |    | Present Extra | Rate         | Additional Fee | Rate                      | Additional Fee |
| TOTAL                                          | 36                               | MINUS                           | 36 | = 0           | x25=         | \$             | x50=                      | \$0            |
| INDEP.                                         | 4                                | MINUS                           | 4  | = 0           | x105=        | \$             | x210=                     | \$0            |
| First Presentation of Multiple Dependent Claim |                                  |                                 |    |               | +180=        | \$             | +360=                     | \$0            |
| <b>TOTAL ADDITIONAL FEE</b>                    |                                  |                                 |    |               | \$           |                | <b>OR</b>                 | \$0            |

### 4. Method of Payment of Fees

- ☐ Charge Deposit Account No. 50-2455 in the amount of: \$0.00
- ☒ Electronic Funds Transfer \$ 1,050.00
- ☐ No Payment Due

### 5. Deposit Account and Refund Authorization

The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 1.17 to Deposit Account No. 50-2455.

Please refund any overpayment to Hanley, Flight & Zimmerman, LLC at the address below.

Respectfully submitted,

HANLEY, FLIGHT & ZIMMERMAN, LLC  
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March 24, 2008